Amendments to the Drawings:

The attached replacement drawing includes the correction to Fig. 3 previously submitted for approval on June 14, 2001. As noted in the Office Action Summary mailed December 20, 2004, this drawing correction has been approved. This sheet, Fig. 3, replaces the originally submitted Fig. 3. The correction made was to amend the term "NEWGUID4" to read --GUID4--.

Attachment: Replacement Drawing Sheet - Fig. 3

REMARKS/ARGUMENTS

The office action of December 2, 2004 has been carefully reviewed and these remarks are responsive thereto. Entry of the above amendment and reconsideration and allowance of the instant application are respectfully requested. Claims 7-9, 22-24 and 32-51 and 53 remain pending in this application. Claims 1-6, 10-21, 25-31, 52 and 54-58 have been canceled without prejudice or disclaimer.

Claims 52 and 54-58 were withdrawn by the Examiner as being directed to non-elected subject matter. Applicant has canceled these claims and filed a divisional application to the non-elected subject matter.

A replacement Fig. 3 is submitted in order to submit the corrected Fig. 3 as proposed by Applicants on June 14, 2001 and approved in the Office Action Summary mailed December 20, 2004. No new matter has been added.

Claim 38 stands rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have amended claim 38 to recite an operating system stored on a computer-readable medium address the section 101 rejection.

Claims 7-9, 22-24, 32-44, 46, 48-49, 51 and 53 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. patent no. 5,535,322 to Hecht, further in view of U.S. patent no. 5,335,320 to Iwata et al. ("Iwata") and U.S. patent no. 5,874,955 to Rogowitz et al. ("Rogowitz"). Claims 45 and 47 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Hecht, further in view of Iwata, further in view of Rogowitz, and further in view of U.S. patent no. 5,519,865 to Kondo et al. ("Kondo"). Claim 50 stands rejected under 35 U.S.C. § 103(a) as being anticipated by Hecht, further in view of Iwata, further in view of Rogowitz, and further in view of U.S. patent no. 5,781,635 to Chan et al. ("Chan"). Applicants respectfully traverse these rejections.

Independent claim 7 calls for a method for synchronizing multiple versions of an object including receiving a multimedia object having an associated unique identifier, metadata and history; assigning a new unique identifier to the multimedia object responsive to the multimedia object being modified; and updating the metadata and history of the multimedia object to include a node corresponding to the new unique identifier and a vector describing, via the metadata, the

modification performed to arrive at the multimedia object corresponding to the new unique identifier.

The action alleges that <u>Hecht</u> at col. 2, lines 25-55 discloses receiving an object having an associated unique identifier, metadata and history and further contends that the claimed step of assigning a new unique identifier to the multimedia object responsive to the multimedia object being modified is "inherent to modification so that the modified items can be identified." *Office Action*, December 2, 2004, p. 4. However, the action acknowledges that <u>Hecht</u> fails to teach or suggest assigning a new unique identifier to an object and updating the metadata and history. To overcome these deficiencies, the action points to <u>Iwata</u> and <u>Rogowitz</u>. Specifically, the action alleges that <u>Iwata</u>, col. 8, lines 55-67, describes setting a new unique identifier for an object and that <u>Rogowitz</u>, col. 20, lines 55-65, describes updating the metadata and history as recited in claim 7. To justify the combination, the action first asserts that it would have been obvious to "incorporate changing the identifier in Sweeney [sic; <u>Hecht</u>] in the manner of Iwata in order to help manage the identity of objects." *Office Action*, December 2, 2004, p. 4. Then the action contends that it would have been obvious to include "a node and a vector in the manner of Rogowitz in order to track changes in the metadata." <u>Id</u>.

Several substantial differences exist between claim 7 and the proposed combination of <u>Hecht</u>, <u>Iwata</u> and <u>Rogowitz</u>. For example, contrary to the action's assertion, the claim 7 feature of assigning a new unique identifier to the multimedia object responsive to the multimedia object being modified is neither inherent in <u>Hecht</u> nor inherent to modification so that the modified items can be identified. For a feature to be inherent it necessarily must be the result or occur; mere possibilities are insufficient. MPEP § 2112. In response to a modification of an object, a new unique identifier does not need to be assigned. For example, a time stamp or other history type data may be associated with the object such that the identifier remains the same. Quite clearly, <u>Hecht</u> neither teaches nor suggests explicitly or inherently assigning a new unique identifier to the multimedia object responsive to the multimedia object being modified.

<u>Iwata</u> fails to cure at least this deficiency of <u>Hecht</u>. Specifically, <u>Iwata</u> lacks a teaching or suggestion of assigning a new unique identifier to *a multimedia object responsive to the multimedia object being modified* as recited in claim 7. According to the method described in

Iwata, when an Add command is received, the edit manager adds the information of the GUI element to be added to the edit data and sets a unique identifier for the GUI element to be added which is different from the unique identifiers of the existing GUI elements. Applicants acknowledge that Iwata sets a unique identifier to each GUI element added to the edit data. Yet merely adding a new GUI element and assigning the new element a unique identifier does not provide a teaching or suggestion of assigning a new unique identifier to a multimedia object *responsive to the multimedia object being modified* as recited in claim 7. Also, Rogowitz does not cure this deficiency of Hecht and Iwata. Thus, the combination of Hecht, Iwata and Rogowitz, even if proper, does not result in the claim 7 combination of features.

Moreover, contrary to the action's assertion Rogowitz neither teaches nor suggests updating the metadata and history of the multimedia object to include a node corresponding to the new unique identifier and a vector describing, via the metadata, the modification performed to arrive at the multimedia object corresponding to the new unique identifier. The cited portion of Rogowitz merely discloses that the introduction of a new operation on the data (ozone data in the example described) may result in a change to the metadata associated with the data. As described, "the introduction of a new operation 435 that computes the magnitude of a vector field, would change the relevant metadata." Col. 20, lines 59-63. Thus, at most Rogowitz describes that the metadata may change. Notwithstanding, Rogowitz does not teach or suggest updating the metadata and history of the multimedia object to include a node corresponding to the new unique identifier and a vector describing, via the metadata, the modification performed to arrive at the multimedia object corresponding to the new unique identifier as recited in claim 7. For this further reason, the combination of Hecht, Iwata and Rogowitz, even if proper, does not result in the invention of claim 7.

Even assuming, but not admitting, that the combination of Hecht, Iwata and Rogowitz would have resulted in the claim 7 invention, applicants submit that the combination is improper in that one would not have been motivated to combine the references in the manner suggested. First, there is no suggestion anywhere that a workflow manager to manage and control the flow of work items such as described in Hecht would have needed or desired to change an identifier to help manage identity of objects in the manner allegedly suggested in Iwata. Moreover, there is

no motivation as to why one skilled in the art would have included a node and a vector as allegedly described in Rogowitz to track changes to metadata. Hecht describes an attribute-based file system with a database system to store the state and other attributes of work objects. As such, there is no apparent reason to incorporate any modifications to the existing system in Hecht. It would appear that the action took the elements of the claim 7 invention and hunted through the prior art in an effort to find the elements without any suggestion or motivation to combine the references containing the elements, thereby engaging in impermissible hindsight.

Independent claim 22 is directed to a computer-readable medium having computer-executable instructions for performing the same steps as recited in the method of claim 7. Thus, claim 22 is patentably distinguishable over the applied combination for the same reasons as claim 7. Also, independent claim 32 is similar to claim 7 in calling for, among other features, responsive to the multimedia object being modified, assigning the modified multimedia object a second unique identifier; and updating the history to include a node representing the second unique identifier of the multimedia object and to associate the node representing the first unique identifier to the node representing the second unique identifier. To the extent the features of independent claim 32 are similar to claim 7, claim 32 is patentably distinguishable from the combination of Hecht, Iwata and Rogowitz for substantially the same reasons set forth above.

Claims 8 and 9, which ultimately depend from claim 7, and claims 23 and 24, which ultimately depend from claim 22, are patentably distinct from the combination of Hecht, Iwata and Rogowitz for the same reasons set forth with respect to their ultimate base claim and further in view of the novel and non-obvious features recited therein. Also, claims 33-44, 46, 48, 49, 51 and 53, which ultimately depend from claim 32, are patentably distinct from the combination of Hecht, Iwata and Rogowitz for the same reasons set forth with respect to their ultimate base claim and further in view of the novel and non-obvious features recited therein. For example, claim 34 recites that the metadata describes how the multimedia object differs from the modified multimedia object and claim 35 recites that the metadata describes the modification applied to the multimedia object to obtain the modified multimedia object. The action points to col. 17, lines 50-65 of Hecht to show these features. Yet Hecht merely describes temporarily storing a previous version (i.e., image) of a TDR (tax data record). Significantly, a previous version of an

object does not constitute metadata, does not describe how the multimedia object differs from the modified multimedia object, and does not describe the modification applied to the multimedia object to obtain the modified multimedia object.

Claims 45 and 47 are rejected over the combination of Hecht, Iwata and Rogowitz, and further in view of Kondo and claim 50 is rejected over the combination Hecht, Iwata and Rogowitz, and further in view of Chan. Neither Kondo nor Chan however overcome the aforementioned deficiencies noted above with respect to the combination of Hecht, Iwata and Rogowitz. Thus, for at least this reason, both combinations are not only improper, but if proper, do not result in the invention of claims 45 and 47 or claim 50.

Moreover, the action contends that Kondo discloses the claimed features of only the recent history being stored (claim 45) and transferred (claim 47) with the modified multimedia object. To support the addition of Kondo to the already three-reference combination, the action purports that modifying the combination with the disclosure of Kondo would have provided the user with access to more relevant history information. This alleged motivation is non-sensical in that if the user is provided with all the history information, they would also be provided with access to the more or most relevant information. As such, one skilled in the art would not have been motivated to combine Kondo with Hecht, Iwata and Rogowitz as asserted in the action.

CONCLUSION

It is believed that no fee is due for entry of this Amendment. However, if any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.
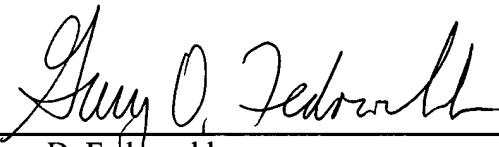
All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: January 28, 2005   By: _____

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